RURAL MUNICIPALITY OF COLDWELL

ZONING BY-LAW

NO. 6/85

THE RURAL MUNICIPALITY OF COLDWELL

BY-LAW NO. 6/85

BEING A BY-LAW to regulate the use and development of the land within the Rural Municipality of Coldwell.

WHEREAS Section 40(1) of The Planning Act, Chapter 29, S.M., 1975, provides that a Zoning By-Law may be enacted by the Council of a municipality;

AND WHEREAS pursuant to Section 30(1) of the said Planning Act, the Board of Western Interlake Planning District has by By-Law adopted a Development Plan;

AND WHEREAS, Section 34(2) of the same Act provides that a Zoning By-Law shall be prepared upon the adoption of a Development Plan;

NOW THEREFORE, the Council of the Rural Municipality of Coldwell, in meeting duly assembled, enacts as follows:

THE RURAL MUNICIPALITY OF COLDWELL

ZONING BY-LAW

TABLE OF CONTENTS

		PAGE NO.
PART I	DEFINITIONS	
	Rules of Construction	I - 1
	Divisions of By-law	I - 2
	Definitions	I - 3
PART II	ADMINISTRATION	
	Title	II - 1
	When Effective	II - 1
	The Area	II - 1
	Intent and Purpose	II - 1
	Responsible Authority	II - 1
	Responsibilities of Council	II - 2
	Responsibilities of the Board	II - 2
	Interpretation of Regulations	II - 2
	Amendments	II - 3
	Conditional Uses	II - 3
	Variations	II - 4
	The Development Officer	II - 4
	Development Permits	II - 5
	Nonconformities	II - 7
	Duties of the Owner	II - 8
	Fee Schedule	II - 8
	Enforcement	II - 8
PART III	ZONES	
	Zones	III - 1
	Zoning Maps	III - 1
	Interpretation of Zone Boundaries	III - 2
PART IV	RURAL ZONES	
	Intent and Purpose	IV - 1
	Zones	IV - 1
	General Requirements	IV - 1
	Use Regulations	IV - 1
	Bulk Regulations	IV - 3
	Aircraft Landing Strips	IV - 4
	Livestock Production Operations	IV - 5
	Mineral Extraction Operations	IV - 6

TABLE OF CONTENTS (cont'd)

		PAGE NO.
PART V	SEASONAL RESORT ZONES	
	Intent and Purpose	V - 1
	Zones	V - 1
	General Requirements	V - 1
	Use Regulations	V - 1
	Bulk Regulations	V - 3
	Signs	V - 4
PART VI	RESIDENTIAL ZONES	
	Intent and Purpose	VI - 1
	Zones	VI - 1
	General Requirements	VI - 1
	Use Regulations	VI - 1
	Bulk Regulations	VI - 3
	Signs	VI - 4
PART VII	COMMERCIAL ZONES	
	Intent and Purpose	VII - 1
	Zones	VII - 1
	General Requirements	VII - 1
	Use Regulations	VII - 1
	Bulk Regulations	VII - 4
	Signs	VII - 7
PART VIII	INDUSTRIAL ZONES	
	Intent and Purpose	VIII - 1
	Zones	VIII - 1
	General Requirements	VIII - 1
	Use Regulations	VIII - 1
	Bulk Regulations	VIII - 4
	Signs	VIII - 6
PART IX	INSTITUTIONAL AND PARKS AND RECREATION ZONES	
	Intent and Purpose	IX - 1
	Zones	IX - 1
	General Requirements	IX - 1
	Use Regulations	IX - 1
	Bulk Regulations	IX - 4
	Signs	IX - 5

TABLE OF CONTENTS (cont'd)

		PAGE NO.
PART X	GENERAL PROVISIONS	
	Intent	X - 1
	Conformance and Permits Required	X - 1
	Area and Yard Requirements	X - 1
	Front Yard Exceptions	X - 2
	Projections into Required Yards	X - 2
	Height Exceptions	X - 3
	Site Reduced by Public Works	X - 3
	Sign Regulations	X - 3
	Accessory Buildings and Uses Permitted	X - 5
	Only One Main Building or Use on a Site	X - 5
	Multiple Uses	X - 5
	Public Utilities and Services	X - 5
	Temporary Buildings and Uses	X - 6
	Public Monuments and Statutory	X - 6
	Land Unsuitable for Development	X - 6
	Land Subject to Flooding	X - 6
PART XI	REPEAL	
PART XII	EFFECTIVE DATE	
APPENDIX "A" - ZONING MAPS		

"PART I" - DEFINITIONS

RULES OF CONSTRUCTION

1. The following rules of construction apply to the text of this By-law.

   (a) Words, phrases and terms defined herein shall be given the defined meaning.

   (b) Words, phrases and terms not defined herein but defined in the Act and the Building, Electrical or Plumbing By-laws of the Rural Municipality of Coldwell shall be construed as defined in such Act and By-laws.

   (c) Words, phrases and terms neither defined herein nor in the Building, Electrical or Plumbing By-laws of the Rural Municipality of Coldwell shall be given their usual and customary meaning except where, in the opinion of Council, the context clearly indicates a different meaning.

   (d) The phrase "used for" includes "arranged for", "designed for", or "occupied for".

   (e) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction "and", "or" or "either-or", the conjunction shall be interpreted as follows:

      (i) "and" indicates that all the connected items, conditions, provisions or events shall apply in any combination.

      (ii) "or" indicates that the connected items, conditions, provisions or events may apply singly but not in combination.

      (iii) "either-or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.

   (f) The word "includes" shall not limit a term to the specified examples, but is intended to extend the meaning of all instances or circumstances of like, kind or character.

   (g) The term "shall" is mandatory and not permissive, the word "may" is permissive and not mandatory.

DIVISIONS OF BY-LAW

2. This By-law is divided into PARTS, each PART being self-sufficient with a minimum of cross references.

DEFINITIONS

3. (1) "Accessory" when it is used in this By-law, shall have the same meaning as accessory use.

(2) "Accessory Building", means a subordinate building located on the same zoning site as the principal building or use, the use of which is incidental and accessory to that of the principal building or use:

(a) "Accessory building, attached" means an accessory building which is attached to the principal building and in determining the required yards, the attached accessory building shall be treated as being part of the main building.

(b) "Accessory building, detached" means an accessory building which is not attached to the principal building and in determining the required yards, the requirements for accessory use, buildings and structures as shown in the Bulk Tables shall be used.

(c) "Accessory building, semi-detached" means an accessory building which is attached to the principal building by a structure such as, but not limited to, a breezeway. The required yards for a semi-detached accessory building shall be determined in the same manner as in paragraph (a) above.

3. (3) "Accessory use or structure" means a use or structure on the same site with, and of a nature customarily incidental and subordinate to, the principal use or structure. The single exception to the above is accessory off-street parking facilities which are permitted by variation to locate elsewhere than on the same zoning site with the building, structure or use served.

(4) "Act the" means The Planning Act, S.M. 1975, Chapter 29, being CHAPTER P80 of the Continuing Consolidation of the Statutes of Manitoba, and amendments thereto.

(5) "Agricultural activities" means a use of land for agricultural purposes including farming, dairying, pasturage, agriculture, apiculture, floriculture, horticulture, and animal and poultry husbandry and the necessary accessory uses for packing, storing or treating the produce provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

3. (6) "Agricultural implement sales and services" means a building and open area, used for display, sale or rental of new or used farm implements and where minor incidental repair work is done.

(7) "Aircraft Landing Strip" means any area of land or water which is used or intended for use for the landing or taking off of aircraft and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, including taxiways, aircraft storage and tie-down areas, hangars and other related buildings and open spaces.

(8) "Alter or alteration" means a change or modification to an existing building, structure or use which unless otherwise provided for herein, does not increase the exterior dimensions with respect to height and area.

(9) "Alterations, incidental" means:

(a) Changes or replacements in the non-structural parts of a building or structure, including but not limited to the following:

(i) an addition on the exterior of a residential building, such as an open porch;

(ii) alteration of interior partitions in all types of buildings; or

(iii) replacement of, or changes in, the capacity of utility pipes, ducts or conduits,

(b) Changes or replacements in the structural parts of a building, including but not limited to the following:

(i) adding or enlarging windows or doors in exterior walls;

(ii) replacement of building facades; or

(iii) strengthening the load bearing capacity, in not more than ten percent (10%) of the total floor area, to permit accommodation of a specialized unit of machinery or equipment.

(10) "Alterations, structural" means the construction or reconstruction of supporting elements of a building or other structure.

(11) "Area, the" means all that land within the boundaries defined in PART II of this By-law.

(12) "Automobile body shop" means a building wherein the repair and, or painting of automobiles takes place.

3. (13) "Automobile service station" means a building or portion thereof and land used for supplying fuel, oil and minor accessories for motor vehicles at retail direct to the customer, and for making repairs, maintenance and storage.

(14) "Automobile or trailer sales area" means an open area, used for the display, sale or rental of new or used automobiles or trailers, and where repairs are made they shall be done within a completely enclosed building, except minor incidental repairs of automobiles or trailers to be displayed, sold or rented on the premises.

(15) "Automobile wrecking" means the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

(16) "Awning, canopy or marquee" means any rooflike structure, which may be constructed as an integral part of a building or attached in such a manner as not to be an integral part of a building, but is so constructed to provide shelter or shade over an entrance way or a window.

(17) "Basement or cellar" means that portion of a building which is partially underground.

(18) "Board" means the Board of The Western Interlake Planning District as established under the Act.

(19) "Building" means a building as defined in the Act.

(20) "Building, main or principal" means a building in which is conducted the principal use of the site on which it is situated.

(21) "Building, height of" means the vertical distance measured from grade to the highest point of the roof.

(22) "Bulk" means the following:

(a) The size (including height of building and floor area), of buildings or structures;

(b) The area of the zoning site upon which a building is located, and the number of dwelling units or rooms within such building in relation to the area of the zoning site;

(c) The location of exterior walls of buildings in relation to site lines to other walls of the same building, to legally required windows, or to other buildings; and

(d) All open areas relating to buildings or structures and their relationships thereto.

3. (23) "Camping and tenting grounds" means a parcel of land planned and improved to accommodate travel trailers, camping trailers, pick-up coaches, motorized homes, tents, tent trailers or other camping accommodations used for travel, recreational and vacation uses.

(24) "Carport" means an attached building open on two sides for the shelter of privately owned automobiles.

(25) "Cemetery" means land for the burial of the dead and dedicated for cemetery purposes, including columbaria, crematoria, mausoleums and mortuaries, when operated in conjunction with and within the boundaries of such cemetery.

(26) "Child care services" means the provision of care for remuneration or reward to a child apart from his or her parents or guardians for a period in any one day exceeding (3) hours but not exceeding fourteen (14) hours:

(27) "Club, private, non-profit" means a non-profit corporation chartered by The Canada Corporation Act or The Manitoba Corporation Act, or an association consisting of persons who are bona fide members paying annual dues, which owns, or leases a building or portion thereof; the use of such premises being restricted to members and their guests.

(28) "Club, recreational" means a non-profit corporation chartered by The Canada Corporation Act or The Manitoba Corporation Act, or an association consisting of persons who are bona fide members paying annual dues, which owns, or leases land or buildings or a portion thereof; the use of such premises being restricted primarily to the main use, which is a generally recognized sport or recreational activity, such as curling, squash, badminton or tennis.

(29) "Conditional use" means the use of land or building which may be permitted in any particular zone.

(30) "Condominium" means a condominium as established under the provisions of The Condominium Act.

(31) "Condominium, bare land unit" means a unit of land defined by delineation of its horizontal boundaries without reference to any buildings or a condominium plan.

(32) "Condominium unit" means a part of the land or building and is designated as a unit by the condominium plan, and is comprised the space enclosed by its boundaries and all the material parts of the land within this space at the time the condominium declaration and plan are registered.

(33) "Council" means the Council of the Rural Municipality of Coldwell.

3. (34) "Development Officer" means the officer appointed by the Board in accordance with the provisions of the Act.

(35) "Development Plan" means the Western Interlake Planning District Development Plan adopted by By-law No. 1/81 and amendments thereto.

(36) "Drive-in establishment" means an establishment with facilities for attracting and servicing prospective customers travelling in motor vehicles, which are driven onto the site where the customer may or may not receive service in the vehicle.

(37) "Dwelling" means a building or portion thereof designed for residential occupancy.

(38) "Dwelling, cottage" means a dwelling intended for use by not more than one family and designed and built mainly for seasonal or periodic occupancy rather than for permanent year-round use by reason of its light frame construction or lack of basement or concrete slab foundation or lack of furnace or lack of plastering or other finish on interior walls or ceilings; and shall include a cabin.

(39) "Dwelling, single-family" means a detached building designed for and used by one (1) family.

(40) "Dwelling, two-family" means a detached or semi-detached building designed for and used by not more than two (2) families, each having exclusive occupancy of a dwelling unit.

(41) "Dwelling, multiple-family" means a building containing three (3) or more dwelling units, each unit designed for and used by not more than one (1) family.

(42) "Dwelling unit" means one (1) or more rooms in a building designed for one (1) or more persons as a single housekeeping unit with cooking, eating, living, sleeping and sanitary facilities.

(43) "Enlargement" means an addition to the floor area of an existing building or structure, or an increase in that portion of a parcel of land occupied by an existing use.

(44) "Extension" means an increase in the amount of existing floor area used for an existing use, within an existing building.

(45) "Family" means one or more persons related by blood or marriage or common-law marriage, or a group of not more than three (3) persons who may not be related by blood or marriage, living together as a single housekeeping unit.

A housekeeping unit referred to above, shall be deemed to exist if all members thereof have access to all parts of the dwelling unit.

3. (46) "Farm buildings or structures" means any buildings or structures existing or erected on land used principally for agricultural activities but not including dwellings.

(47) "Floor area" (as applied to bulk regulations) means the sum of the gross horizontal areas of the several floors of all buildings and structures on the zoning site, measured from the exterior faces of the exterior walls or from the centreline of party walls. In particular, the floor area of a building or buildings shall include:

(a) Basements when used for residential, commercial or industrial purposes, but not including space used for storage or the housing of mechanical or central heating equipment, and accessory off-street parking spaces;

(b) Floor space used for mechanical equipment (with structural headroom of six (6) feet or more) except equipment, open or enclosed, located on the roof;

(c) Elevator shafts and stairwells at each storey except shaft and stair bulkheads and exterior unroofed steps or stairs; and

(d) Penthouse, mezzanines, attics where there is a structural headroom of seven (7) feet or more.

(48) "Garage" means a building or portion thereof in which a motor vehicle is, or motor vehicles are, stored, repaired, washed or serviced.

(49) "Garage, private or carport" means an accessory building or portion of a principal building, if attached, used by the occupants of the premises upon which it is located for the parking or temporary storage of private passenger motor vehicles and may also include the incidental storage of other personal property.

(50) "Grade" (as applying to the determination of building or structure height), means the average level of finished ground adjoining a building or structure at all exterior walls, as determined by the Development Officer.

(51) "Grain storage structure" means any structure which is designed to store any type of grain.

(52) "Home occupation" means a use which:

(a) Is carried on in a dwelling unit or mobile home or its permitted accessory building;

(b) Is carried on solely by the members of the family residing at the same dwelling unit or mobile home without the employment of other persons;

3. (52) (c) Is incidental to or secondary to the use of the dwelling unit or mobile home;

(d) There is no exterior display, no exterior storage of materials, and no other exterior indication of the home occupation or variation of the residential character of the principal or accessory building except as provided for herein;

(e) In the opinion of the Council is not offensive, or obnoxious or create a public nuisance.

(f) Does not cause the generation of undue traffic and congestion in the neighbourhood.

(53) "Hotel" means a building or part thereof wherein accommodation is provided for transient lodgers, in any individual room or apartment, with or without cooking facilities. Permitted accessory uses include but are not limited to, restaurants, licensed beverage rooms, banquet halls, ballrooms and meeting rooms.

(54) "House, boarding, lodging or rooming" means a building or portion thereof, other than a hotel or motel without cooking facilities, where lodging, or lodging and meals are provided for compensation exclusive of the proprietor and his family.

(55) "Junk yard" means an open area where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including, but not limited to metals, paper, rags, rubber tires and bottles. A junk yard includes an automobile wrecking or dismantling yard but does not include uses established entirely within an enclosed building.

(56) "Kennel" means any premises on which more than two (2) animals are boarded, bred, trained or cared for, in return for remuneration or are kept for the purpose of sale. A kennel shall not include a veterinary clinic, animal hospital or animal pound.

(57) "Lane" means a street not over thirty-three (33) feet in width.

(58) "Livestock" means cattle, swine, horses, poultry, sheep, rabbits, mink and similar animals.

(59) "Livestock production operation" means any agricultural operation where livestock are confined, fed or raised in pens, buildings or in areas (enclosures) not normally used for grazing or pasturing of livestock.

The following are not subject to the requirements for livestock production operations unless, in the opinion of the Council, they create a pollution problem:

3. (59) (a) Livestock auction markets;

(b) Agricultural fairs;

(c) Livestock sale yards, in which livestock may be kept for a period not exceeding ten (10) days;

(d) Pasturing cattle.

(60) "Livestock waste unit or L.W.U." means an amount of animal waste or waste equivalent, as set out in of PART IVof this By-law.

(61) "Loading space" means an off-street space on the same zoning site with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, lane or the appropriate means of access.

(62) "Mobile home" means a portable dwelling which is designed or used for residential occupancy, built upon or having a frame or chassis to which wheels may be attached by which it may be moved upon a highway, whether or not such structure actually has at any time such wheels attached, or is jacked up or skirted and which conforms to the structural standards of The Building and Mobile Homes Act, Chapter B93, S.M. 1977 and amendments thereto.

(63) "Mobile home park" means a parcel of land upon which mobile home spaces are provided and have been approved by the Council.

(64) "Motel" means a building or part thereof, not over two (2) storeys in height wherein sleeping accommodation is provided for transient lodgers and in which there is an exit from each room or suite of rooms directly to the outdoors with access to grade level. Permitted accessory uses include but are not limited to restaurants, licensed beverage rooms, banquet halls, ballrooms and meeting rooms.

(65) "Non-conformity" means one, or a combination of one, or more, of the following:

(a) A site or parcel of land;
(b) A building or structure;
(c) A use of a building or structure
(d) A use of land; or
(e) A sign;

which lawfully existed prior to the effective date of this By-law or amendments thereto, but does not conform to the provisions contained within this By-law.

3. (66) "Non-conforming uses" means any lawful use of a structure or of a parcel of land, or portion thereof, which does not conform to any one or more of the applicable use regulations of the zone in which it is located on the effective date of this By-law, or amendments thereto.

(67) A "non-conforming building or structure" means any lawful building or structure which does not comply with one (1) or more of the applicable district bulk regulations on the effective date of this By-law, or amendments thereto.

(68) A "non-conforming site or parcel of land" means any lawful site or parcel of land which does not comply with the site area, site width or site depth on the effective date of this By-law, or amendments thereto, and was on record in the Land Titles Office and in separate ownership prior to the effective date of this By-law, or amendments thereto, and did not form part of a larger contiguous holding in the same ownership.

(69) A "non-conforming sign" means any lawful sign which does not comply with one or more of the applicable district bulk regulations on the effective date of this By-law or amendments thereto.

(70) "Owner" means a person who appears by the records of the proper land titles office to have any right, title, estate or interest in land and includes the agent of such a person in possession or occupation of the land with the express or implied consent of the owner.

(71) "Parcel of land" means the aggregate of all land described in any manner in a certificate of title.

(72) "Parking area" means an open area of land other than a street or lane or an area within a structure used for the parking of vehicles.

(73) "Parking area, public" means a parking area used for the temporary parking of vehicles and is available for public use whether free, for compensation or as an accommodation for clients, customers, employees or visitors.

(74) "Parking space" means a space on a parking area, public parking area or zoning site for the temporary parking or storage of a vehicle.

(75) "Party wall" means a wall forming part of a building and used for separation of adjoining buildings occupied, constructed or adapted to be occupied by different persons or businesses.

3. (76) "Personal service shop" means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons and without limiting the generality of the foregoing may include such establishments as barber shops, beauty parlors, hair-dressing shops, hand laundries, shoe repair and shoe shining shops, tailor and dressmaking shops, valets and depots for colleting dry cleaning and laundry.

(77) "Planned unit development" means a land development project planned as an entity in accordance with a unitary site plan which permits flexibility in siting of building, mixture of housing types and land uses, usable open spaces, and the preservation of significant natural features.

(78) "Premises" means an area of land with or without buildings.

(79) "Public utility" means any system, works, plant equipment or services which furnishes services and facilities available at approved rates to or for the use of the inhabitants of the public, including but not limited to:

(a) Communication, by way of telephone, telegraph, wireless or television;

(b) Public transportation, by bus or other vehicle;

(c) Production, transmission, delivery or furnishing of water, gas or electricity to the public at large; or

(d) Collection of sewage, garbage or other waste.

(80) "Public utility building" means a building used by a public utility.

(81) "Repair" means the renewal or reconstruction of any part of an existing structure for the purpose of its maintenance or restoration.

(82) "Residential care facility" means the use of any building or structure or part thereof, however named, which is advertised, announced or maintained for the express or implied purpose of providing lodging, meals, care and supervision or transitional services to persons not related by blood, marriage or adoption to the operator nor to each other but does not include a facility which is licensed or designated by the Manitoba Health Services Commission.

(83) "Resort, commercial" means a commercial recreation establishment which may consist of one or more buildings containing single or multiple-family dwelling units, recreational facilities and service facilities which are used on an intermittent and seasonal basis. Other facilities which may be a part of the resort

3. (83) development includes: a camping and tenting grounds, a hotel, retail store, an eating establishment, a marina, golf course and other outdoor recreation game courts, areas and trails.

3. (84) "Senior citizen home" means a multiple unit dwelling or a building containing individual rooms where elderly people live independent of personal care.

(85) "Sign" means any writing (including letter, word or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol or trademark), banner, pennant or any other figure of similar character which:

(a) Is a structure or any part thereof, or is attached to, painted on or in any other manner represented on or in a building or other structure;

(b) Is used to identify, direct attention to, or advertise; and

(c) Is visible from outside a building but shall not include show windows as such.

(86) "Sign, advertising" means a sign directing attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the same zoning site where the sign is maintained, an example of this type of sign being a billboard.

(87) "Sign, bulletin board" means a sign of permanent character, but with movable letters, words or numerals indicating the names of persons associated with, or events conducted upon, or products or services offered upon the premises upon which sign is maintained, e.g., school, church, community centre bulletin board sign and similar uses.

(88) "Sign, business" means a sign directing attention to a business commodity, service, or entertainment conducted, sold, or offered upon the same zoning lot where the sign is maintained.

(89) "Sign, construction" means a sign which identifies a construction project and information relative thereto.

(90) "Sign, facia or wall" means a sign attached against the surface of, or against or within a recess in the wall, a column or other perpendicular portion of a building in a position essentially parallel to said wall, column or other perpendicular position. A facia sign shall also mean any sign attached to the walls of two or more buildings and spanning the spaces between said buildings.

(91) "Sign, flashing" means an illuminated sign on which artificial light is not maintained constant in intensity and color at all times when such sign is in use.

3. (92) "Sign, freestanding" means a sign supported by a vertical column or columns placed in the ground with the sign surface area above ground level.

(93) "Sign, identification" means a sign that identifies a business, owner, resident or institution by name, logo, or street address and which sets forth no other advertisement.

(94) "Sign, illuminated" means a sign designed to give forth any artificial light or reflect light from an artificial source.

(95) "Sign, marquee" means a sign attached to a marquee, canopy or awning projecting from and supported by a building.

(96) "Sign, projecting" means any sign other than a facia sign, which is attached to a building and extends beyond the exterior wall of the said building beyond the surface of the portion of the building to which it is attached.

(97) "Sign, real estate" means a sign advertising the sale, rental or lease of the premises on which it is maintained.

(98) "Sign, roof" means any sign erected, constructed and maintained wholly upon or over the roof of the building with the principal support on the roof structure.

(99) "Sign, surface area" means the entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, including any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed; excluding the necessary supports or uprights on which it is placed. Where a sign has two or more faces, the area of all faces shall be incuded in determining the area of the sign, except that where two such faces are placed back to back and are at no point more than one (1) yard from one another, the sign surface area of the sign shall be taken as the surface area of one face if the two faces are of equal area, or as the surface area of the larger face if the two faces are of unequal area.

(100) "Sign, temporary" means a sign with or without a structural frame and intended for a limited period of display, and shall include a mobile sign, but shall have no red, green or amber lights thereon, and with no blinking or scintillating lights when the sign faces a residential area.

(101) "Site" means a zoning site as defined herein unless the context indicates otherwise.

(102) "Site area" means the computed area contained within the site lines.

3. (103) "Site, corner" means a site situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees.

(104) "Site Coverage" means that part or percentage of the site occupied by buildings, including accessory buildings. Structures which are below the finished site grade, including sewage lagoons, water reservoirs, parking structure below grade and similar structures, shall not be included in site coverage.

(105) "Site depth" means the horizontal distance between the centre points in the front and rear site lines.

(106) "Site frontage" means all that portion of a zoning site fronting on a street and measured between side site lines.

(107) "Site, interior" means a site other than a corner site or a through site.

(108) "Site lines" means as follows:

(a) "Front site line" means that boundary of a site which is along an existing or designated street. For a corner site the Development Officer may select the front side line except where an interior site abuts the corner site, then the front site line shall be that line which is the continuation of the front site line of the interior site.

(b) "Rear site line" means that boundary of a site which is most nearly parallel to the front site line and in the case of a site in which the side site lines intersect, such as a triangular site, a line ten (10) feet in length within the site, parallel to and at the maximum distance from the front site line.

(c) "Side site line" means any boundary of a site which is not a front or rear site line.

(d) Where an irregular shaped site cannot have its site lines defined by the foregoing definitions, the front, rear and side site lines shall be determined by the Development Officer.

(109) "Site, through" means a site having a pair of opposite site lines along two (2) more-or-less parallel streets. On a through site, both street lines shall be deemed front site lines.

(110) "Site width" means the horizontal distance between the side site lines, measured at right angles to the site depth at a point midway between the front and rear site lines, or forty (40) feet from the front site line, whichever is the lesser.

3. (111) "Site, zoning" means a parcel of land which:

(a) is occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use or uses thereto, together with such open spaces as are required under the provisions of this by-law.

(b) has frontage on a street or has any lawful means of access satisfactory to the Council.

(c) is of sufficient size to provide the minimum requirements of this by-law for a permitted or conditional use in a zone where the use is located.

(112) "Stable, private" means a detached accessory building for the keeping of cattle or horses owned by the occupants of the premises and not kept for remuneration, hire or sale.

(113) "Stable, public" means a stable other than a private stable.

(114) "Storey" means that portion of any building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, that portion between the top of such floor and the ceiling above it, but does not include a basement.

(115) "Street" means a street as defined in the Act.

(116) "Structure" means anything constructed or erected with a fixed location on or below the ground, or attached to something having a fixed location on the ground and includes buildings, walls, fences, signs, billboards, poster panels, light standards and similar items.

(117) "Travel trailer" means a portable living accommodation designed to be used as temporary accommodation for travel, recreation or vacation purposes that:

(a) Is capable of being transported on its own chassis and running gear by towing or other means;

(b) Is placed on the chassis or body of a motor vehicle; or

(c) Forms part of a motor vehicle.

(118) "Use" means:

(a) Any purpose for which a building or other structure or parcel of land may be designed, arranged, intended, maintained or occupied; or

3. (118) (b) Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a parcel of land.

(119) "Yard" means an open area, on the same zoning site with a building or structure which yard is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted herein.

(a) "Yard, required" means a yard extending along a site line or wall to a depth or width (measured from the site line or wall) specified in the yard requirement for the zone in which such zoning site is located.

(b) "Yard, front" means a yard extending along the full length of the front site line between the side site lines.

(c) "Yard, rear" means a yard extending along the full length of the rear site line between the side site lines.

(d) "Yard, side" means a yard extending along the side site line from the front yard to the rear yard.

"PART II" - ADMINISTRATION

TITLE

1. This By-law shall be known as "The Rural Municipality of Coldwell Zoning By-law".

WHEN EFFECTIVE

2. This By-law shall be in full force and effect when it is given third reading by the Council of the Rural Municipality of Coldwell.

THE AREA

3. The Area to which this Zoning By-law shall apply shall be all lands within the limits of the Rural Municipality of Coldwell.

INTENT AND PURPOSE

4. The regulations and provisions established by this By-law are deemed necessary in order to:

(a) Implement the objectives and policies of the Western Interlake Planning District Development Plan;

(b) To define and limit the powers and duties of the Council, the Board, and the Development Officer; and

(c) To regulate the following:

(i) All buildings and structures erected hereafter;

(ii) All uses of buildings, structures and land established hereafter;

(iii) All structural alterations or relocations of existing buildings and structures occurring hereafter;

(iv) All enlargements or additions to existing buildings, structures or uses.

(v) The change of use of land buildings or structures.

RESPONSIBLE AUTHORITY

5. (1) The authority responsible for the enactment of this By-law shall be the Council, in accordance with the provisions of the Act; and

5. (2) Subject to the provisions of the Act, the regulations, restrictions and boundaries set forth in this By-law may from time to time be amended, supplemented, changed or repealed.

RESPONSIBILITIES OF COUNCIL

6. Subject to the provisions of the Act, the Council is responsible for:

(a) Considering the adoption or rejection of proposed amendments or the repeal of this By-law;

(b) Acting as a Variation Board;

(c) Approving or rejecting conditional use applications, and may revoke the authorized conditional use for any violation of any additional conditions imposed by it; and

(d) Establishing a schedule of fees as provided for in this Part.

RESPONSIBILITIES OF THE BOARD

7. Subject to the provisions of the Act, the Board is responsible for:

(a) Administering and enforcing the provisions of this By-law;

(b) Administering and enforcing those provisions of the Act, where applicable;

(c) Establishing a schedule of fees and charges for permits.

INTERPRETATION OF REGULATIONS

8. (1) In their interpretation and application, the provisions of this By-law shall be held to be the minimum requirements in order to satisfy the intent and purpose as set forth herein.

(2) Except wherein otherwise stated, nothing in this By-law shall exempt any person from complying with the requirements of any other laws or by-laws in force within the Municipality or from obtaining any necessary licence, permission, permit, authority or approval required by any other government authorities.

(3) Whenever the provisions of this By-law conflict with those of any other municipal, planning district, provincial, or federal government requirements, the higher or more restrictive regulations shall prevail.

8. (4) Any existing use or structure which was illegal under the provisions of any planning schemes or by-laws in force on the effective date of this By-law and amendments thereto shall not become or be made legal solely by reason of the adoption of this By-law or amendments thereto; and to the extent that, and in any matter that, said illegal use of structure remains illegal hereunder.

AMENDMENTS

PROCEDURE

9. (1) Subject to the procedure required under the Act, an amendment to this By-law may be initiated by the Council, or by application of one or more owners of property or their agents within the area proposed to be changed.

9. (2) An application to amend the zoning by-law and all required information and fees as determined by Council shall be made to the Council. If Council approves the application, it shall proceed with the amendment in accordance with the provisions of the Act.

FEES

9. (3) The application fee for an amendment to the zoning by-law shall be $250.00.

CONDITIONAL USES

APPLICATION

10. (1) An application for a conditional use shall be processed and approved or rejected in accordance with the provisions of the Act.

FILING AN APPLICATION

10. (2) The application shall be filed with the Council and shall be accompanied by such information and fees as determined by Council.

EXPIRY OF APPROVAL

10. (3) The approval of Council in accordance with the provisions of the Act shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the decision, unless it is renewed prior to the expiry date, at the discretion of Council, for an additional period of twelve (12) months.

EXISTING CONDITIONAL USE

10. (4) Where a use is classified as a conditional use under this By-law or amendments thereto, and exists as a permitted or conditional use at the date of the adoption of this By-law or amendments thereto, it shall be considered as a legally existing conditional use.

CHANGES TO AN EXISTING CONDITIONAL USE

10. (5) Any change in a conditional use shall be subject to the provisions of this Section and the appropriate provisions of the Act.

VARIATIONS

THE RIGHT TO APPLY

11. (1) An application for a variation order shall be processed and approved or rejected in accordance with the provisions of the Act.

11. (2) An application for a variation order and all required information and fees as determined by the Variation Board shall be made to the Development Officer.

THE DEVELOPMENT OFFICER

DUTIES

12. (1) The Board shall appoint a development officer, who on behalf of the Rural Municipality of Coldwell, shall carry out the administration and enforcement of this By-law.

POWERS

12. (2) The Development Officer may:

(a) Issue a development permit where the development of land, buildings or structures conforms to the adopted Development Plan, and the requirements of this By-law and amendments thereto, subject to the provisions of subsection (3);

(b) Enter any buildings or premises at all reasonable hours in the performance of his duties with respect to this By-law;

(c) Issue development permits for the temporary use of buildings, structures or land pursuant to the provisions of this By-law;

(d) Issue zoning memoranda or such other documents necessary for the administration and enforcement of this By-law; and

(e) Subject to Section 58 of The Planning Act, the Development Officer may grant or refuse the minor variation (not to exceed 10 per cent of the requirements) of the application of this By-law with respect to the requirements of any front, rear or side yard or any other yard.

DEFER APPROVAL OF PERMITS

12. (3) At the request of Council or Board, the Development Officer shall:

(a) Defer approving an application for a development permit:

(i) as provided for in the Act;

(ii) which would result in a violation of this By-law or any By-law of the Rural Municipality of Coldwell; or

(iii) to any person who has failed to pay any fees due and owing to the Rural Municipality of Coldwell or the Board under this By-law.

DEVELOPMENT PERMITS

PERMIT REQUIRED

13. (1) No person shall use land, a building or structure and shall not construct or reconstruct a building or structure except in conformity with an approved developoment permit.

WHEN REQUIRED

13. (2) An application for a development permit is required for the following:

(a) The erection or construction or placement of any building, structure or mobile home, except fences and light standards;

(b) The addition, extension, structural alteration or conversion of any building or structure;

(c) The relocation or removal or demolition of any building or structure;

(d) The use of vacant buildings or structures; or

(e) The change of use of land, buildings or structures.

WHEN NOT REQUIRED

13. (3) Notwithstanding the provisions of subsection 13(2) of this PART, an application for a development permit shall not be required for:

(a) Accessory buildings or structures not exceeding 120 square feet in area; or

(b) Farm buildings or structures.

DEVELOPMENT PERMIT REQUIREMENTS

13. (4) In addition to the requirements of any By-law of the Rural Municipality of Coldwell or any other provincial regulations, all applications for a development permit shall:

(a) Be accompanied by a plan, drawn to scale, showing the actual dimensions and shape of the site to be built upon; the exact size and location on the site of buildings already existing, if any, and the location and dimensions of the proposed building, enlargement or structural alterations;

(b) Include such other information as may be required by the Council or Board, including existing or proposed building or structural alterations; existing or proposed use of the building and land; the number and location of automobile parking spaces and loading spaces; the number of families, dwelling units or rental units the building is designed to accommodate; conditions existing on the site; current copies of relevant titles, easements, caveats, a surveyor's certificate prepared by a Manitoba Land Surveyor and such other matters as may be necessary to determine conformance with and provide for the enforcement of this By-law; and

(c) No person shall erect, locate, repair, use, or occupy any building, land or structure contrary to any development permit or the material furnished in support of the application.

COMBINED PERMITS

13. (5) A development permit may also include a building permit and/or an occupancy permit.

PERMITS ISSUED PRIOR TO BY-LAW

13. (6) Unless otherwise provided for herein, building permits issued prior to the effective date of this By-law shall be considered valid for the purpose of this By-law provided all the conditions under which the permit was issued are complied with.

NON-CONFORMITIES

GENERAL PROVISION

14. (1) A non-conforming use and a non-conforming building, structure, parcel of land or sign shall be regulated in accordance with and subject to the provisions of the Act, unless otherwise provided for herein.

STRUCTURAL ALTERATIONS

14. (2) Pursuant to Section 53(1) of the Act, a structural alteration may be made to a non-conforming building or structure, provided that the said alteration conforms to the requirements of this By-law, or where such requirements may be varied by a variation order.

REPAIR OR REBUILDING

14. (3) Pursuant to Section 53(3) of the Act, where Council determines that a building or structure is damaged or destroyed more than fifty (50%) percent of its replacement value above its foundation, the said building or structure may be repaired or rebuilt, but only in conformance with this By-law or its amendments, or where such requirements are varied by a variation order.

NON-CONFORMING PARCEL

14. (4) A building or structure may be erected on a non-conforming parcel of land provided:

(a) The required yards are provided as set forth in the Bulk Table of the zone in which the parcel of land is located; or

(b) Where a variation order for such yard requirements is granted.

NON-CONFORMING SIGNS

14. (5) A "non-conforming sign" shall be subject to all the provisions of this PART relating to non-conformities, except as provided hereafter:

(a) A change in the subject matter represented on a sign shall not be considered a change of use; and

(b) A non-conforming sign may be structurally altered, reconstructed, or replaced in the same location and position provided that such structural alteration, reconstruction, or replacement does not result in:

(i) the creation of a new non-conformity or an increase in the degree of non-conformity; or

(ii) an increase in the sign surface area; or

(iii) an increase in the degree of illumination.

PERMITTED ALTERATIONS AND CHANGES TO NON-CONFORMITIES

14. (6) Notwithstanding the provisions of this section, a variation order shall not be required where a non-conforming building, structure or parcel is being altered or changed so as to decrease the degree of non-conformity, even though the resulting alteration or change does not fully comply with the requirements set forth herein,

CERTIFICATE AND FEES

14. (7) Any fees made to the Development Officer for the issuance of a certificate in accordance with Section 51(1) of the Act shall be determined by Council.

DUTIES OF THE OWNER

15. (1) Neither the granting of a development permit nor the approval of the drawing and specifications nor the inspections made by the Development Officer shall in any way relieve the owner of the responsibility of complying with the requirements of this By-law or of any relevant By-laws of the Rural Municipality of Coldwell.

15. (2) Every owner shall:

(a) Permit the Development Officer to enter any building or premises at any reasonable time for the purpose of administering or enforcing this By-law and shall not molest, obstruct or interfere with the Development Officer in the discharge of his duties under this By-law.

(b) After the development application has been approved and the permit issued, obtain the written approval of the Development Officer before doing any work at variance with the approved documents filed; and

(c) Be responsible for obtaining, where applicable, from the appropriate authorities, permits or licenses relating to the buildings, grades, sewers or water supply systems, plumbing, signs, blasting, street, occupancy, electrical, highways, and all other permits required in connection with the proposed work.

FEE SCHEDULE

16. Council shall by By-law establish a fee schedule for variations, zoning memorandum, conditional use orders and other appropriate documents.

ENFORCEMENT

17. The enforcement of this by-law shall be in accordance with the Act.

"PART III" - ZONES

ZONES

1. In order to carry out the intent and purpose set forth in this By-law, the following zones are hereby established in the Area:

(1) "A80" Rural Agricultural Zone;

(2) "SR" Seasonal Resort Zone;

(3) "R" Residential Zone;

(4) "RMP" Mobile Home Park Zone;

(5) "C" General Commercial Zone;

(6) "HC" Highway Commercial Zone;

(7) "M" Industrial Zone;

(8) "I" Institutional Zone;

(9) "PR" Parks and Recreation Zone.

ZONING MAPS

2. The location and the boundaries of the zones listed in Section 1 above are shown upon Zoning Maps attached hereto, marked as APPENDIX "A" to this By-law. Said Zoning Maps form part of this By-law. All notations, references and other information shown thereon, together with any amendments made by amending By-laws from time to time and shown thereon, together with any amendments to boundaries in the case of any street, lane or public utility right-of-way closing, as provided in Section 3 of this PART, shall be as much a part of this By-law as if the matters and information set forth by the said Zoning Maps were fully described herein.

DIMENSIONS AND SCALE

2. (1) The scale and all dimensions of the Zoning Maps are in feet.

REGISTERED PLANS

2. (2) All plan references on the Zoning Maps pertain to registered plans filed in the Winnipeg Land Titles Office unless otherwise indicated.

ABBREVIATIONS

2. (3) The abbreviations noted on the Zoning Map mean the following:

(a) "Blk." means Block;

2. (3) (b) "Gov't. Rd. All'ce." means Government Road Allowance;

(c) "Pcl." means Parcel;

(d) "Pt." means Part;

(e) "Rge." means Range;

(f) "Sec." means Section;

(g) "Twp." means Township;

(h) "W.P.M." or "W" means West of the Principal Meridian;

(i) "P.R." means Provincial Road;

(k) "P.L.P." means Portage la Prairie Land Titles Office; and

(l) "W.L.T.O." means Winnipeg Land Titles Office.

INTERPRETATION OF ZONE BOUNDARIES

3. In the interpretation of the boundaries of the zones as shown on the Zoning Maps, the following rules shall apply:

(a) Heavy broken lines represent the zone boundaries. Where the zone boundary is broken by the name of a street, it shall be construed that the boundary continues through the name of the street;

(b) Notwithstanding that streets, lanes and public utility rights-of-way may be within zone boundaries, the regulations contained in this By-law shall not be deemed to be applicable to said streets, lanes and public utility rights-of-way;

(c) Boundaries indicated as following the centrelines of streets, highways or lanes shall be construed to follow such centrelines;

(d) Boundaries indicated as following lot, site or property holding lines on a registered plan shall be construed as following such lot, site and property holding lines;

(e) Boundaries indicated as following the Rural Municipality's limits shall be construed as following the Rural Municipality's limits;

(f) Boundaries indicated as following the centreline of railway lines or railway rights-of-way or public utility lines or rights-of-way shall be construed to be midway between the main tracks or the centre of the right-of-way, as the case may be;

3. (g) Boundaries indicated as following the centrelines of streams or rivers shall be construed as following the centreline of such streams or rivers;

(h) Boundaries indicated as following legal subdivision lines shall be construed as following such legal subdivision lines; and

(i) If a street, or lane or Government Road Allowance shown on the Zoning Map is lawfully closed, the land formerly comprising the street or land shall be included within the zone of the adjoining land provided that if the said street or lane was a zone boundary between two or more different zones, the new zone boundary shall be the former centreline of the closed street or lane.

"PART IV" - RURAL ZONES

INTENT AND PURPOSE

1. The Rural Zones established in this By-law are intended to provide sufficient land for various types of rural development in The Area in keeping with the provisions of the Development Plan.

ZONES

2. (1) In order to carry out the intent and purpose of section 1 above, there is hereby established the following zone:

"A80" RURAL AGRICULTURAL ZONE

2. (2) "A80" Rural Agricultural Zone.

GENERAL REQUIREMENTS

3. The requirements applying to all Rural Zones are contained within this PART. Also applying to these zones are the provisions of PART I - "DEFINITIONS", PART II - "ADMINISTRATION", and PART XI "GENERAL PROVISIONS".

USE REGULATIONS

4. (1) TABLE IV - I, "RURAL USE TABLE", lists all uses that are:

(a) "P", Permitted, and

(b) "C", Conditional

in the Rural Zones. All listed uses are subject to the provisions contained herein.

4. (2) No land shall be used or occupied and no structure shall be erected, altered, used or occupied hereinafter for any use in the Rural Zones in which such land or structure is located other than a use listed in TABLE IV - I, "RURAL USE TABLE", with the exception of uses lawfully established prior to the effective date of this By-law.

TABLE IV - 1

RURAL USE TABLE

LEGEND: P - Permitted C - Conditional - - Use Not Permitted	ZONE
USES:	"A80"
A full range of agricultural activities	P
Abattoirs	C
Advertising signs and billboards	C
Agricultural Auction Marts	C
Agricultural Exhibition Grounds	C
Aircraft Landing Strips	C
Anhydrous Ammonia Facilities	C
Animal Hospitals and Veterinary Clinics	C
Asphalt Plants	C
Business and Identification signs	P
Camping and Tenting Grounds	C
Cemeteries	P
Churches	P
Community Halls	P
Communication Installations and Facilities	C
Conservation Areas	P
Contractor's Yards	C
Feed Mills	C
Garbage and Sewage Disposal Areas	C
Golf Courses	C
Livestock Production Operations*	P
Single family dwellings or mobile homes	P
Sand and gravel pits and quarry operations	C
Schools	P
Seed Cleaning Plants	C
Shooting Ranges	C
Stables and Riding Academies	C
Accessory Uses, Buildings and Structures	P

*See Section 7 of this Part

Rural Zones

CONDITIONAL USE

4. (3) Any use listed as a "CONDITIONAL USE" in TABLE IV - I shall comply with the regulations as set forth in PART II - "ADMINISTRATION".

ACCESSORY USES, BUILDINGS AND STRUCTURES

4. (4) In the Rural Zone, accessory uses, buildings or structures shall be limited to the following:

(a) Farm dwelling to include single-family dwelling or mobile home when on the same site with a permitted or conditional agricultural activity;

(b) Staff dwelling to include single-family dwelling, two-family dwelling, dormitory, and mobile home when on the same site with permitted or conditional uses where, in the opinion of the Council, said dwelling is essential for the maintenance, operation and care of the permitted or conditional use;

(c) Buildings or structures for the operation and maintenance of an agricultural activity;

(d) Storage of goods used in or produced by agricultural activities on the same site with such activities, unless such storage is excluded by the zoning district or provincial regulations;

(e) A private garage, carport, covered patio, toolhouse, shed, and other similar buildings for the storage of domestic equipment and supplies;

(f) Incinerators and individual sewage disposal systems, subject to the authority having jurisdiction;

(g) Home Occupations;

(h) Signs as permitted in this PART; and

(i) Clubhouses and other related recreational structures on the grounds of private clubs, golf courses, and other like permitted or conditional recreational facilities.

BULK REGULATIONS

5. (1) The Rural bulk regulations shall be as set forth in TABLE IV - II, RURAL BULK TABLE.

TABLE IV - II

RURAL BULK TABLE

PERMITTED OR CONDITIONAL USES	ZONE	REQUIREMENTS						
		MINIMUM					MAXIMUM	
		Site area (acres)	Site width (ft.)	Front yard (ft.)	Side yard (ft.)	Rear yard (ft.)	Height (ft.)	Site coverage (%)
Agricultural Activities	"A80"	80	600	125	25	25	-	-
Other "A80" Zone Uses	"A80"	2	200	125	25	25	-	-
Accessory Buildings and Structures	"A80"	-	-	125	25	25	-	-

Explanations and Exceptions to the Bulk Requirements in Table IV - II are as follows:

(a) Buildings and structures shall have a side or rear yard of one hundred and twenty-five (125) feet when the yard is adjacent to a Government Road Allowance.

(b) Setbacks for Buildings, structures or hedges from provincial roads, major provincial highways and their centers of intersections shall be in accordance with the Highway Protection Act and the Highway Department Act or as varied from time to time.

DWELLINGS ADJACENT TO SANITARY FACILITIES

5. (2) Notwithstanding the provisions of this PART, a dwelling shall not be located within one thousand three hundred and twenty (1320) feet of a waste disposal site or one thousand (1000) feet of a sewage lagoon except with the approval of Council.

AIRCRAFT LANDING STRIPS

6. All buildings and structures, when being located in close proximity to licensed aircraft landing strips, whether on the same property or adjoining property, shall be governed by the recommended Transport Canada regulations.

LIVESTOCK PRODUCTION OPERATIONS

7. (1) A development permit shall be required for the establishment of a livestock production operation within one mile of a non-rural agricultural zone. The permit shall state the use of the land buildings or structure, the capacity of the operation in terms of the number of animals, and the method of waste disposal.

7. (2) Not withstanding the provisions of Table IV - I "Rural Use Table", livestock production operations falling within the following categories shall be deemed a conditional use:

(a) Operations producing wastes in excess of 10 L.W.U. and located or spreading manure within one quarter mile of a non-agricultural zone;

(b) Operations producing wastes in excess of 50 L.W.U. and located or spreading manure within one half mile of a non-rural agricultural zone;

(c) Operations producing waste in excess of 100 L.W.U. and located or spreading manure within one mile of a non-rural agricultural zone;

LIVESTOCK WASTE UNIT TABLE

7. (3) Any reference in this by-law to Livestock Waste Units (L.W.U.) shall use the following table to determine the number of livestock waste units produced:

TABLE IV - III

LIVESTOCK WASTE UNITS

TYPE OF OPERATION	LIVESTOCK WASTE UNITS (L.W.U.)
Dairy Cattle	
1 Milk Cow	1.0
1 Milk Cow plus Dry Cows	1.2
1 Milk Cow plus Dry Cows, replacement heifers, calves	1.4
Beef Cattle	
1 Beef Animal of Feedlot Capacity	0.36
1 Beef Cow plus replacement heifers, calves (All year Dry lot Capacity)	0.7
1 Beef Cow plus replacement heifers, calves (Winterlot Capacity)	0.42
1 Beef Cow plus bulls, replacement heifers, calves (Summer pasture only)	0.28

Rural Zones

Swine	
1 Sow (Farrow-Finish) plus boars, replacement gilts, suckling pigs to market	2.0
1 Sow (Farrow-Weanling) plus boars, replacement gilts, suckling pigs to 40 pounds	0.8
1 Feeder Pig (40 pounds to market) Feeder Barn Capacity	0.2
Chickens	
100 Laying Hens	0.9
100 Chicken Broilers	0.53
100 Hens Turkey Hens in Breeder Flock	1.2
Turkeys	
100 Turkey Broilers	0.85
100 Turkey Feeders	1.5
100 Turkey Hens in Breeder Flock	2.2
Ducks	
100 Ducks	1.0
Geese	
100 Geese	1.1
Horses	
1 Horse	0.5
Sheep	
1 Ewe, plus rams, lambs	0.1
Rabbits	
10 Does, plus bucks, litters	0.4
Mink	
10 Mink	0.4

MINERAL EXTRACTION OPERATIONS

8. (1) A development permit shall be required for the establishment of a commercial pit or quarry operation, and shall include:

(a) In the case of Crown quarry minerals, proof of the issuance of a Provincial Lease or Casual Permit under Manitoba Regulation 226/76 (Quarrying Minerals Regulations, 1976);

(b) A plan showing areas and means for disposing overburden and routes for hauling the minerals;

(c) A site plan showing the precise plan of the operation, the manner in which extraction or development will occur, the means of visual buffering and noise and dust protection, and the intended use(s) of the site upon completion of the quarrying phase.

8. (1) (d) A plan for rehabilitation of the site when exhausted and where applicable, subject to Manitoba Regulation 226/76.

(2) The Council shall, in considering such applications, consult with the provincial Mineral Resources Division.

"PART V" - SEASONAL RESORT ZONES

INTENT AND PURPOSE

1. The Seasonal Resort Zones established in this By-law are intended to provide sufficient land for various types of recreational development in The Area in keeping with the provisions of the Development Plan.

ZONES

2. (1) In order to carry out the intent and purpose of section 1 above, there is hereby established the following zone:

"SR" SEASONAL RESORT ZONE

2. (2) "SR" Seasonal Resort Zone.

GENERAL REQUIREMENTS

3. The requirements applying to all Seasonal Resort Zones are contained within this PART. Also applying to this zone are the provisions of PART I - "DEFINITIONS", PART II - "ADMINISTRATION", and PART XI "GENERAL PROVISIONS".

USE REGULATIONS

4. (1) TABLE V - I, "SEASONAL RESORT USE TABLE", lists all uses that are:

(a) "P", Permitted, and

(b) "C", Conditional

in the Seasonal Resort Zone. All listed uses are subject to the provisions contained herein.

4. (2) No land shall be used or occupied and no structure shall be erected, altered, used or occupied hereinafter for any use in any Seasonal Resort Zone in which such land or structure is located other than a use listed in TABLE V - I, "SEASONAL RESORT USE TABLE", with the exception of uses lawfully established prior to the effective date of this By-law.

TABLE V - I

SEASONAL RESORT USE TABLE

LEGEND: P - Permitted C - Conditional - - Use Not Permitted	ZONE
USES:	"SR"
Camping and tenting grounds	C
Commercial resort	C
Concessions and marinas	C
Cottage dwellings and mobile homes	P
Grocery stores	C
Identification and business signs	P
Parks, playgrounds, tot lots, and similar uses, including buffer strips, public reserves and public walkways	P
Public camps	P
Public parking areas	P
Restaurants, coffee shops, refreshment stands and the like	C
Accessory uses, buildings and structures	P

CONDITIONAL USE

4. (3) Any use listed as a "CONDITIONAL USE" in TABLE V - I, shall comply with the regulations as set forth in PART II - "ADMINISTRATION".

ACCESSORY USES, BUILDINGS AND STRUCTURES

4. (4) In the Seasonal Resort Zone accessory uses, buildings or structures shall be limited to the following:

(a) a children's playhouse, garden house, private greenhouse, summer house, private conservatory and private swimming pools, open or enclosed;

(b) a private garage, carport, covered patio, toohouse, shed, boathouse or other similar building;

(c) incinerators subject to the approval of the authority having jurisdiction;

(d) accessory off-street parking areas; and

(e) signs as permitted in this PART.

BULK REGULATIONS

5. The Seasonal Resort bulk regulations shall be as set forth in TABLE V - II, SEASONAL RESORT BULK TABLE.

TABLE V - II

SEASONAL RESORT BULK TABLE

PERMITTED OR CONDITIONAL USES	ZONE	REQUIREMENTS						
		MINIMUM					MAXIMUM	
		Site area (sq.ft)	Site width (ft.)	Front yard (ft.)	Side yard (ft.)	Rear yard (ft.)	Height (ft.)	Site coverage (%)
Cottage dwellings and mobile homes	"SR"	9,000	60	30	10	25	30	40%
Camping and Tenting Grounds, Public Camps, Commercial Resorts	"SR"	2 acres	200	30	20	25	30	40%
Other "SR" Seasonal Resort Zone Uses	"SR"	15,000	100	30	15	25	30	40%
Accessory Buildings and Structures	"SR"	-	-	30	5	10	15	10%

SIGNS

6. The following signs shall be permitted in the Seasonal Resort Zones:

(a) In the case of a cottage dwelling there shall be not more than one (1) lighted or unlighted identification sign for each dwelling, not exceeding two (2) square feet in area.

(b) In the case of any other permitted or conditional uses there shall not be more than one (1) unlighted or lighted business or identification sign or bulletin board, not exceeding eighteen (18) square feet in area.

"PART VI" - RESIDENTIAL ZONES

INTENT AND PURPOSE

1. The Residential Zones established in this By-law are intended to provide sufficient land for various types of residential development in The Area in keeping with the provisions of the Development Plan.

ZONES

2. In order to carry out the intent and purpose of section 1 above, there are hereby established the following zones:

"R" RESIDENTIAL ZONES

2. (1) "R" Residential Zone

The "R" Residential District provides primarily for the development of single-family and multiple-family dwellings within urban residential areas.

"RMP" MOBILE HOME PARK ZONE

2. (2) "RMP Mobile Home Park Zone

The "RMP" Mobile Home Park Zone provides for the placement of mobile homes on leased spaces within a mobile home park.

GENERAL REQUIREMENTS

3. The requirements applying to all Residential Zones are contained within this PART. Also applying to these zonees are the provisions of PART I - "DEFINITIONS", PART II - "ADMINISTRATION" and PART XI - "GENERAL PROVISIONS".

USE REGULATIONS

4. (1) TABLE VI - I "RESIDENTIAL USE TABLE" lists all uses that are:

(a) "P", Permitted, and

(b) "C", Conditional,

in the Zones. All listed uses are subject to the provisions contained herein.

TABLE VI - I

RESIDENTIAL USE TABLE

LEGEND: P - Permitted C - Conditional - - Use Not Permitted	ZONE	
USES:	"R"	"RMP"
Single Family Dwelling	P	-
Two Family Dwelling	P	-
Mobile Home	C	P
Mobile Home Park	-	P
Childcare Services	P	P
Churches, Church Halls and Sunday Schools	C	C
Identification Signs	P	P
Funeral Home	C	-
Multiple Family Dwellings	C	-
Parks, playground, tot lots and similar uses including buffer strips, public reserves, and public walkways	P	P
Public utilities	P	P
Residential Care Facilities	C	-
Schools (Nurseries and Kindergartens)	P	P
Senior Citizen Homes	C	-
Accessory uses, buildings and structures	P	P

4. (2) No land shall be used or occupied and no structure shall be erected, altered, used or occupied hereinafter for any use in any Residential Zone in which such land or structure is located other than a use listed on TABLE VI - I, "RESIDENTIAL USE TABLE", with the exception of uses lawfully established prior to the effective date of this By-law.

CONDITIONAL USE

4. (3) Any use listed as a "CONDITIONAL USE" in TABLE VI - I shall comply with the regulations as set forth in PART II - "ADMINISTRATION".

ACCESSORY USES

4. (4) In the Residential Zones accessory uses, buildings, and structures shall be limited to the following:

4. (4) (a) a children's playhouse, garden supply storage house, private greenhouse, private conservatory and private swimming pools, open or enclosed;

(b) a private garage, carport, covered patio, toolhouse, shed and other similar building;

(c) accessory off-street parking areas;

(d) signs as permitted in this PART;

(e) home occupations;

BULK REGULATIONS

5. (1) The Residential bulk regulations shall be as set forth in TABLE VI - II, RESIDENTIAL BULK TABLE.

TABLE VI - II

RESIDENTIAL BULK TABLE

PERMITTED OR CONDITIONAL USES	ZONE	REQUIREMENTS						
		MINIMUM					MAXIMUM	
		Site area (sq.ft)	Site width (ft.)	Front yard (ft.)	Side yard (ft.)	Rear yard (ft.)	Height (ft.)	Site coverage (%)
Single Family and Two Family Dwellings and Mobile Homes	"R"	5,000	50	30	5	25	30	40%
Mobile Home Park	"RMP"	80,000	200	30	20	25	30	40%
Other "R" Residential Zone and "RMP" Mobile Home Park Zone Uses	"R" "RMP"	10,000	100	30	15	25	30	60%
Accessory Buildings and Structures	"R" "RMP"	-	-	30	5	2	15	15%

Explanations and Exceptions to Residential Bulk Requirements in Table VI - II are as follows:

5. (1) (a) For single family and two family dwellings and mobile homes without a public lane at the rear of the site, one side yard shall be 12 feet, unless an attached garage is provided at the side of the dwelling.

(b) The side yard on the street side of a corner site shall be fifteen (15) feet.

(c) In the case of an accessory building located to the rear of the main building the minimum side yard for the accessory building shall be two (2) feet unless the site is a corner site in which case the minimum side yard on the street shall be fifteen (15) feet.

NUMBER OF BUILDINGS PERMITTED PER SITE

5. (2) Not more than one (1) of the following uses shall be permitted on one (1) zoning site:

single-family dwelling
two-family dwelling
mobile home (within the "R" Residential Zone)

DWELLING UNIT - MINIMUM SIZE

5. (3) (a) The minimum floor area of a single-family or two-family dwelling shall be four hundred and eighty (480) square feet for each dwelling unit.

(b) The minimum floor area of a multiple-family dwelling shall be four hundred (400) square feet for each dwelling unit.

SIGNS

6. The following signs shall be permitted in the Residential Zones:

(a) In the case of a single-family or two-family dwelling there shall be not more than one (1) lighted or unlighted identification sign for each dwelling unit and each sign shall not exceed two (2) square feet in area.

(b) There shall be not more than one (1) lighted or unlighted identification sign not exceeding twelve (12) square feet in area for each multiple-family building, or Senior Citizen's home.

(c) In the case of any other permitted or conditional use, there shall not be more than one (1) lighted or unlighted identification sign or bulletin board, not exceeding (18) square feet in area.

"PART VII" - COMMERCIAL ZONES

INTENT AND PURPOSE

1. The Commercial Zones established in this By-law are intended to provide sufficient land in suitable locations to meet the needs of commercial development in The Area in keeping with the provisions of the Development Plan.

ZONES

2. In order to carry out the intent and purpose of section 1 above, there are hereby established the following zones:

"C" GENERAL COMMERCIAL ZONE

2. (1) "C" General Commercial Zone

The "C" General Commercial Zone provides for appropriate land in central business area for the development of intensive retail, business, service and administrative uses.

"HC" HIGHWAY COMMERCIAL ZONE

2. (2) "HC" Highway Commercial Zone

The "HC" Highway Commercial Zone provides for appropriate land for those businesses requiring large sites, and/or serving the motoring public and requiring direct access to a highway.

GENERAL REQUIREMENTS

3. The requirements applying to all Commercial Zones are contained within this PART. Also applying to these zones are the provisions of PART I - "DEFINITIONS", PART II - "ADMINISTRATION", and PART XI - "GENERAL PROVISIONS".

USE REGULATIONS

4. (1) TABLE VII - I, "COMMERCIAL USE TABLE", lists all uses that are:

(a) "P", Permitted, and

(b) "C", Conditional

in the Commercial Zones. All listed uses are subject to the provisions contained herein.

TABLE VII - I

COMMERCIAL USE TABLE

LEGEND: P - Permitted C - Conditional - - Use Not Permitted	ZONES	
USES:	"C"	"HC"
Advertising signs and structures and billboards	C	C
Agencies for clothes cleaning, laudnry or pressing establishments	P	-
Agricultural fertilizer and chemical storage facilities excluding anhydrous ammonia	-	P
Agricultural implement sales and services	-	P
Anhydrous ammonia facilities	-	C
Amusement enterprises, including bowling alley, theatres if conducted within a completely enclosed building	P	P
Appliance and applicance repairs shops	P	-
Automobile, mobile home, travel trailer, snowmobile and boat sales areas	C	P
Automotive service stations	P	P
Automotive trade and repair shops, including body shops	C	P
Automobile laundry or car wash	C	P
Banks or financial institutions	P	-
Bakeries and baked goods shops	P	P
Beverage rooms and lounges	P	P
Book store and stationery	P	-
Barber shops and beauty parlors	P	-
Bulk fuel stations	-	C
Business signs and identification signs	P	P
Camping and tenting grounds	-	C
Churches and church halls	P	P
Clinics, medical and dental	P	-
Confectionery stores	P	P
Dairies and Creameries	-	P
Department stores	P	-
Drug stores	P	-
Dry goods or notion stores	P	-

TABLE VII - I (cont'd.)

COMMERCIAL USE TABLE

LEGEND: P - Permitted C - Conditional - - Use Not Permitted	ZONES	
USES:	"C"	"HC"
Drive in establishments	P	P
Dwelling units when within the second storey or within the rear one-half of the first storey of a commercial building	P	P
Drive-in theatre	-	P
Feed mills	-	C
Florist	P	-
Frozen food lockers	P	P
Funeral homes	P	-
Furniture stores	P	-
Gift shops	P	P
Grocery, fruit or vegatable stores	P	P
Government offices and administrative buildings	P	P
Hardware and electrical appliance stores	P	-
Hotels and motels	P	P
Lumber yards and building materials establishments	C	P
Laundromats	P	P
Libraries	P	-
Meat market or delicatessen stores	P	P
Offices, business or professional	P	-
Personal service shops	P	-
Plumbing and sheet metal shops	P	P
Public building, utilities	P	P
Restaurants, coffee shops or cafes	P	P
Radio and T.V. repair shops	P	-
Senior Citizen Homes	C	-
Tailor, clothing or wearing apparel shops	P	-
Transportation - bus terminal	P	P

TABLE VII - I (cont'd.)

COMMERCIAL USE TABLE

LEGEND: P - Permitted C - Conditional - - Use Not Permitted	ZONES	
USES:	"C"	"HC"
Truck terminals	C	P
Upholstery shops	P	-
Veterinary clinics	-	P
Accessory uses, buildings and structures	P	P

4. (2) No land shall be used or occupied and no structure shall be erected, altered, used or occupied hereinafter for any use in any Commercial Zone in which such land or structure is located other than a use listed on TABLE VII - I, "COMMERCIAL USE TABLE", with the exceptions of uses lawfully established prior to the effective date of this By-law.

CONDITIONAL USE

4. (3) Any use listed as a "CONDITIONAL USE" in TABLE VII - I shall comply with the provisions as set forth in PART II - "ADMINISTRATION".

ACCESSORY USES

4. (4) In the Commercial Zones accessory uses, buildings and structures shall be limited to the following:

(a) a garage, shed, or building, for storage incidental to a permitted use or conditional use;

(b) incinerators subject to the approval of the authority having jurisdiction and which shall be incidental to the permitted use or conditial use;

(c) the production, processing, cleaning, servicing, altering, testing, repair or storage of merchandise normally incidental to a business and personal service and mercantile occupancies if conducted by the same ownership as the principal use;

(d) accessory off-street parking area and loading areas;

(e) signs as permitted and regulated in this PART; and

(f) a dwelling unit for the caretaker or owner whose presence on the site, in the opinion of Council, is necessary.

BULK REGULATIONS

5. (1) The Commercial bulk regulations shall be as set forth in TABLE VII - II, COMMERCIAL BULK TABLE.

TABLE VII - II

COMMERCIAL BULK TABLE

PERMITTED OR CONDITIONAL USES	ZONE	REQUIREMENTS						
		MINIMUM					MAXIMUM	
		Site area (sq.ft)	Site width (ft.)	Front yard (ft.)	Side yard (ft.)	Rear yard (ft.)	Height (ft.)	Site coverage (%)
Automobile Service Stations	"C"	20,000	150	30	15	20	30	60%
"C" General Commercial Zone Uses	"C"	3,000	30	-	-	20	30	80%
"HC" Highway Commercial Zone Uses	"HC"	40,000	150	45	15	25	30	60%
Accessory Buildings and Structures	"C" "HC"	-	-	(Same as principal use)			15	15%

Explanations and exceptions to the Bulk requirement Table VII-II are as follows:

(a) Buildings, structures and hedges adjacent to provicial roads, major highways and their centres of intersections shall have a setback in accordance with the Highway Protection Act and the Highway Department Act or as amended.

(b) Where a dwelling unit is contained within a commercial building both required side yards shall not be less than five (5) feet and the rear yard not less than twenty-five (25) feet.

SPECIAL YARDS ALONG ZONE BOUNDARIES

5. (2) Notwithstanding any other requirements provided elsewhere in this By-law, where a site within a Commercial Zone abuts a Residential Zone, the following regulations shall comply:

(a) The minimum side yard requirement for the abutting site in the Commercial Zone shall be ten (10) feet.

(b) No open storage or outdoor display shall be permitted in an abutting yard in the Commercial District, except where a solid fence of six (6) feet high is provided and maintained along the site line abutting the Residential Zone boundary.

SIGNS

6. (1) In the "C" General Commercial Zone, signs shall be permitted as follows:

(a) one lighted or unlighted facia business or identification sign, the total sign surface area not exceeding thirty-two (32) square feet;

(b) one lighted or unlighted free-standing business or identification sign having a maximum height not exceeding thirty (30) feet; no part of such sign being located nearer the front or side site lines than one (1) foot, the total sign surface area not to exceed thirty-two (32) square feet; and

(c) one lighted or unlighted business or identification sign not exceeding forty (40) square feet may be erected on the roof of the building containing the business it identifies, which sign shall not be in addition to a facia sign but as an alternative thereof;

(2) In the "HC" Highway Commercial Zone signs shall be permitted as follows:

(a) one lighted or unlighted business or identification sign, the total sign surface area not exceeding one hundred (100) square feet, for any building or use permitted in this zone;

(b) any identification or business sign permitted above may be attached to the face or roof of a building or structure or it may be a free-standing sign.

"PART VIII" - INDUSTRIAL ZONES

INTENT AND PURPOSE

1. The Industrial Zone established in this By-law is intended to provide sufficient land for industrial and related uses in suitable locations in The Area in keeping with the provisions of the Development Plan.

ZONE

2. In order to carry out the intent and purpose of section 1 above, there is hereby established the following Zone:

"M" INDUSTRIAL ZONE

2. (1) "M" Industrial Zone.

GENERAL REQUIREMENTS

3. The requirements applying to all Industrial Zones are contained within this PART. Also applying to these zones are the provisions of PART I - "DEFINITIONS", PART II - "ADMINISTRATION", and PART XI - "GENERAL PROVISIONS".

USE REGULATIONS

4. (1) TABLE VIII - I, "INDUSTRIAL USE TABLE", lists all uses that are:

(a) "P", Permitted, and

(b) "C", Conditional

in the Industrial Zones. All listed uses are subject to the provisions contained herein.

4. (2) No land shall be used or occupied and no structure shall be erected, altered, used or occupied hereinafter for any use in any Industrial Zone in which such land or structure is located other than a use listed on TABLE VIII - I, "INDUSTRIAL USE TABLE", with the exceptions of uses lawfully established prior to the effective date of this By-law.

TABLE VIII - I

INDUSTRIAL USE TABLE

LEGEND: P - Permitted C - Conditional - - Use Not Permitted	ZONE
USES:	"M"
Advertising signs & structures & billboards	C
Agricultural implement sales and service	P
Automobile laundry or car wash	P
Automobile service stations	P
Automobile, mobile home, travel trailer, and boat sales areas	P
Bakeries	P
Boat building shop	P
Bulk fuel and oil storage	C
Business signs and identification signs	P
Contractors' establishments	P
Dairies and creameries	P
Drive-in establishments, excluding drive-in theatre	P
Dry cleaner and laundries	P
Dwelling unit for caretaker or essential workman whose presence on premises is necessary at all times	P
Equipment depots, including building supply and farm machinery and equipment and their storage	P
Feed mill	C
Fish, meat and poultry processing plants	C
Grain elevators, including warehouse and storage buildings	P
Lumber yards and building supply establishments	P
Plumbing and sheet metal shops	P
Public garages and parking areas	P
Public utilities	P
Rendering Plants	C
Restaurants, coffee shops, and dining rooms	P
Retail stores in conjunction with another permitted or conditional use	P
Sales buildings	P

TABLE VIII - I (Cont'd.)

INDUSTRIAL USE TABLE

LEGEND: P - Permitted C - Conditional - - Use Not Permitted	ZONE
USES:	"M"
Service shops	P
Sign painting shops	P
Trucking terminals	P
Warehouse facilities for storage of fertilizers, explosives, and flammable and toxic goods	C
Wholesale business, warehouse or storage buildings	P
Wrecking establishments and junk yards	C
Accessory uses, buildings and structures	P

CONDITIONAL USE

4. (3) Any use listed as a "CONDITIONAL USE" in TABLE VIII - I shall comply with the provisions as set forth in PART II - "ADMINISTRATION".

ACCESSORY USES

4. (4) In the Industrial Zones accessory uses, buildings and structures shall be limited to the following:

(a) a garage, shed, or building, for storage incidental to a permitted use or conditional use;

(b) incinerators subject to the authority having jurisdiction, and which shall be incidental to the permitted use or conditial use;

(c) storage of goods used in or produced by manufacturing activities on the same zoning site with such activities unless such storage is excluded by the zone regulations;

(d) the production, processing, cleaning, servicing, altering, testing, repair or storage of merchandise normally incidental to a business and personal serice and mercantile occupancies if conducted by the same ownership as the principal use;

(e) a dwelling unit or sleeping accommodation for a watchman or caretaker and his family, if in Council's opinion, it is demonstrated that his presence on the same zoning site as the principal use is essential and necessary;

(f) a retail or commercial use which is incidental to a permitted or conditional use;

(g) accessory off-street parking or loading spaces; and

(h) signs as permitted and regulated in this PART.

BULK REGULATIONS

5. (1) The Industrial bulk regulations shall be as set forth in TABLE VIII - II, INDUSTRIAL BULK TABLE.

TABLE VIII - II

INDUSTRIAL BULK TABLE

PERMITTED OR CONDITIONAL USES	ZONE	REQUIREMENTS						
		MINIMUM					MAXIMUM	
		Site area (sq.ft)	Site width (ft.)	Front yard (ft.)	Side yard (ft.)	Rear yard (ft.)	Height (ft.)	Site coverage (%)
"M" Industrial Zone Uses	"M"	40,000	150	25	15	25	30	60%
Accessory Buildings and Structures	"M"	-	-	Same as principal use			30	15%

Explanations and exceptions to the Bulk requirements Table VIII-II are as follows:

(a) Buildings, structures and hedges adjacent to provicial roads, major provincial highways and centres of intersections of same shall have a setback in accordance with the Highway Protection Act and the Highway Department Act or as varied from time to time.

SPECIAL YARDS ALONG ZONE BOUNDARIES

5. (2) Notwithstanding any other requirements provided elsewhere in this By-law, where a site within an Industrial Zone abuts a Residential Zone, the following regulations shall comply:

(a) The minimum side yard requirement for the abutting site in the Industrial Zone shall be twenty (20) feet.

(b) No open storage or outdoor display shall be permitted in an abutting yard in the Industrial Zone, except where a solid fence of six (6) feet high is provided and maintained along the site line abutting the Residential Zone boundary.

SIGNS

6. The following signs shall be permitted in the Industrial Zone:

(a) One lighted or unlighted business or identification sign not exceeding a total sign surface area of one hundred (100) square feet, for any building or use permitted in this zone;

(b) Any identification or business sign permitted in clause (a) above may be attached to the face or roof of a building or structure or it may be a free-standing sign.

"PART IX" - INSTITUTIONAL AND PARKS AND RECREATION ZONES

INTENT AND PURPOSE

1. The Institutional and Parks and Recreation Zones established in this By-law are intended to provide sufficient land in suitable locations to accommodate governmental, educational, institutional and public recreational uses in keeping with the provisions of the Development Plan.

ZONING DISTRICT

2. In order to carry out the intent and purpose of section 1 above, there are hereby established the following zones:

"I" INSTITUTIONAL ZONE

2. (1) "I" Institutional Zone

The "I" Institutional Zone provides primarily for public institutional uses.

"PR" PARKS AND RECREATION ZONE

2. (2) "PR" Parks and Recreation Zone

The "PR" Parks and Recreation Zone provides primarily for public recreational and open space uses.

USE REGULATIONS

3. The requirements applying to the Institutional and Parks and Recreation Zones are contained within this PART. Also applying to these zones are the provisions of PART I - "DEFINITIONS", PART II - "ADMINISTRATION", and PART XI - "GENERAL PROVISIONS".

USE REGULATIONS

4. (1) TABLE IX - I, "INSTITUTIONAL AND PARKS AND RECREATION USE TABLE", lists all uses that are:

(a) "P", Permitted, and

(b) "C", Conditional

in the Institutional and Parks and Recreation Zones. All listed uses are subject to the provisions contained herein.

4. (2) No land shall be used or occupied and no structure shall be erected, altered, used or occupied hereinafter for any use in any Institutional and Parks and Recreation Zones in which such land or structure is located other than a use listed on TABLE IX - I, "INSTITUTIONAL AND PARKS AND RECREATION ZONES USE TABLE", with the exceptions of uses lawfully established prior to the effective date of this By-law.

TABLE IX - I

INSTITUTIONAL, PARKS AND RECREATION USE TABLE

LEGEND: P - Permitted C - Conditional - - Use Not Permitted	ZONES	
USES:	"I"	"PR"
Arenas and stadiums	-	P
Athletic fields	P	P
Camping and tenting grounds	-	P
Cemeteries	P	P
Childcare services	P	P
Churches and Church Halls	P	-
Community Centres, halls, clubs and auditoriums	P	P
Conservation Areas	-	P
Exhibition and fair grounds	-	P
Golf courses	-	P
Hospitals, sanitaria and personal care homes	P	-
Ice skating, roller skating, hockey and curling rinks	-	P
Identification signs	P	P
Libraries	P	P
Museums and public monuments	P	P
Parks, playgrounds, tot lots, and similar uses including buffer strips, public reserves and public walkways.	P	P
Picnic areas	-	P
Public buildings and offices	P	P
Public Camps	-	P
Public parking	P	P
Public, private and parochial schools	P	P

TABLE IX - I (Cont'd.)

INSTITUTIONAL, PARKS AND RECREATION USE TABLE

LEGEND: P - Permitted C - Conditional - - Use Not Permitted	ZONES	
USES:	"I"	"PR"
Public utilities	P	P
Recreation centers and facilities	-	P
Residential care facilities	P	-
Restaurants, coffee shops, refreshment stands, and the like	C	C
Senior Citizen Homes	P	-
Swimming pools and wading pools	P	P
Accessory uses, buildings and structures	P	P

CONDITIONAL USE

4. (3) Any use listed as a "CONDITIONAL USE" in TABLE IX - I shall comply with the provisions as set forth in PART II - "ADMINISTRATION".

ACCESSORY USES

4. (4) An accessory use, building, or structure include but is not limited to the following:

(a) Buildings or structures for the operation, maintenance, and administration of a permitted or conditional use;

(b) Staff dwelling, to include only a single-family dwelling or two-family dwelling when on the same site with a permitted or conditional use where, in the opinion of Council, said dwelling is essential for the maintenance, operation, and care of the use;

(c) Accessory off-street parking and loading areas; and

(d) Signs as permitted and regulated in this PART.

BULK REGULATIONS

5. The bulk regulations shall be as set forth in TABLE IX - II, INSTITUTIONAL AND PARKS AND RECREATIONAL BULK TABLE.

TABLE IX - II

INSTITUTIONAL, PARKS AND RECREATION BULK TABLE

PERMITTED OR CONDITIONAL USES	ZONE	REQUIREMENTS						
		MINIMUM					MAXIMUM	
		Site area (sq.ft)	Site width (ft.)	Front yard (ft.)	Side yard (ft.)	Rear yard (ft.)	Height (ft.)	Site coverage (%)
"I" Institutional Zone Uses	"I"	20,000	100	30	15	25	30	60%
"PR" Parks and Recreation Zone Uses	"PR"	20,000	100	30	15	25	30	40%
Accessory Buildings and Structures	"I" "PR"	-	-	30	15	10	30	10%

Explanations and exceptions to the Bulk requirements Table IX-II are as follows:

(a) Buildings, structures and hedges adjacent to provicial roads, major provincial highways and centres of intersections of same shall have a setback in accordance with the Highway Protection Act and the Highway Department Act or as varied from time to time.

SIGNS

6. The following signs shall be permitted in the Institutional and Park and Recreation Zones:

(a) No more than one (1) lighted or unlighted identification sign, not exceeding thirty-two (32) square feet in sign surface area and having a maximum height of thirty (30) feet shall be permitted for any building or use permitted in the Institutional and Park and Recreation Zones;

(b) Bulletin boards not greater than one hundred (100) square feet in sign surface area and located not closer than ten (10) feet to any site line where a yard is required.

"PART X" - GENERAL PROVISIONS

INTENT

1. The following regulations shall apply to all zones except wherein otherwise noted.

CONFORMANCE AND PERMITS REQUIRED

2. No building or structure shall be erected, reconstructed, structurally altered, enlarged or moved, nor shall any building, structure or land be used for any use other than is permitted in the zones in which such building, structure or land is located and then only after applying for and securing all development permits, building permits, other permits and licenses required by all laws and by-laws in effect within the Municipality.

AREA AND YARD REQUIREMENTS

3. Except as herein provided, the following regulations shall apply in all zones to ensure adequate site and yard requirements:

   (a) For the purpose of side yard regulations, a semi-detached two-family dwelling, a row-house or a multiple-family dwelling with common party walls shall be considered as one (1) building occupying one (1) site.

   (b) Where a site is occupied for a use permitted in a zoning district and has no buildings or structures thereon, the required yards for the zone within which it is located shall be provided and maintained, except in the case of sites located in the Rural Zones and Parks and Recreation Zones.

   (c) No building or structure shall be permitted on a corner site when such building or structure is to be oriented in such a manner as to reduce the front yard requirement on the street on which such corner site has its frontage at the time this Zoning By-law becomes effective.

   (d) Yards provided for a building or structure, existing on the effective date of this Zoning By-law or amendments thereto, shall not be reduced, or further reduced, if already less than the minimum requirements of this By-law.

   (e) All yards and other open space required for any use shall be located on the same site as the use.

3. (f) It shall be a continuing obligation of the owner to maintain the minimum site area, yards and other open spaces required herein for any use as long as it remains in existence. Furthermore, the minimum site area, yards and other open spaces allocated to a use as per requirements of this by-law shall not by virtue of change of ownership, or for any other reason, be used to satisfy the yard, other open space, or minimum site requirements for any other use on another site.

(g) No parcel of land shall hereafter be divided into sites, unless each site conforms with the requirements set forth in the Bulk Regulations of the Zone in which the parcel is located.

FRONT YARD EXCEPTIONS

4. Where sites comprising forty (40) percent or more of the entire frontage of the block are developed with buildings, the average front yard depths established by such buildings shall establish the minimum front yard depths for the entire frontage of the block provided such average is less than the minimum front yard required in the zone in which the site is located.

PROJECTIONS INTO REQUIRED YARDS

5. Except as herein provided, every part of a required yard shall be open and unobstructed from the ground level to the sky, save for trees, shrubs, gardens, fences, sidewalks and driveways:

(a) Architectual features, such as chimneys, bay windows, alcoves, canopies and awnings, eaves and gutters may extend into a required side yard provided the width of such side yard is not reduced to less than three feet, and may extend or project into a required front yard or rear yard not more than five (5) feet;

(b) Open, unenclosed and uncovered porches, decks or terraces may project into a required front or rear yard for a distance not exceeding six (6) feet;

(c) Open, unenclosed stairways or balconies, not covered by a roof or canopy, may project into a required rear yard or required front yard for a distance of not more than four (4) feet;

(d) Name plates and real estate signs shall be allowed in any required front, side, or rear yard; and

5. (e) Fences, hedges, and landscape architectural features are permitted in all required yards if maintained at a height of not more than three and one-half (3-1/2) feet in the front yard and at a height of not more than six (6) feet in the rear and side yards.

HEIGHT EXCEPTIONS

6. The provisions of this By-law shall not apply to limit the height of any ornamental dome, chimney, tower, electrical or telephone transmission line, television or radio mast, steeple, water storage tank, electrical apparatus or the mechanical operations of the building provided that no roof structure or any space above the height limit shall be permitted for the purpose of providing usable floor space.

SITE REDUCED BY PUBLIC WORKS

7. A site area or site width or required yard reduced below the minimum requirements of this By-law by virtue of a public works, street or public utility shall be deemed to conform to the requirements of this By-law.

SIGN REGULATIONS

8. The following shall apply in all zones in this By-law except wherein otherwise stated:

(a) No sign or sign structure shall be erected at any location where it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.

(b) No sign or sign structure shall be located in such a manner as to materially impede the view of any street or highway intersection, or in such a manner as to materially impede the view of the intersection of a street or highway with a railroad grade crossing.

(c) No rotating beam or beam shall be used in connection with any sign display; nor shall any flashing illumination resembling an emergency light be used for such purpose.

(d) No flashing sign shall be permitted in or within three hundred (300) feet of any residential district or Provincial Roads and Provincial Trunk Highways.

8. (e) All signs and sign structures shall be kept in repair and in proper state of preservation. Signs which have become obsolete because of discontinuance of the business service or activity, and have not been removed or relocated within thirty (30) days following such condition, may be removed by the Municipality at the owner's expense.

(f) Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back to back and are at no point more than two (2) feet from one another.

(g) It shall be unlawful to erect or maintain any sign on, over or above any land or right-of-way belonging to the Municipality unless such right is established by agreement with the Municipality, and all signs shall adhere to all the setback requirements of the zone in which they are located.

(h) The placing of advertising, business or identification signs within the control lines and circles of a Provincial Road or Provincial Trunk Highway shall require a permit from the appropriate authority.

(i) The following signs shall not be subject to the provisions of this By-law, except wherein otherwise noted:

(i) Signs posted by duly constituted public authorities in the performance of their public duties.

(ii) Flags or emblems of a political, civic, educational or religious organization.

(iii) Temporary signs as may be authorized by Council for not more than two months at a time by written permit which shall show the size, shape, content, height, type of construction and location of such signs.

(iv) "No Trespassing" signs not exceeding three (3) square feet.

(v) Construction signs when placed on construction sites and not exceed twenty-five (25) square feet.

(vi) Signs required for direction and convenience of the public including signs which identify rest rooms or parking entrance or exit, not exceeding five (5) square feet in area.

(vii) Real estate signs not exceeding ten (10) square feet which advertise the sale, rental or lease of a building, structure, site, or part thereof.

ACCESSORY BUILDINGS AND USES PERMITTED

9. (1) Where this By-law provides that any premises may be used or a building or structure may be erected, altered or used for a purpose, that purpose shall include any accessory building or structure or accessory use.

(2) Accessory buildings, except as otherwise regulated in this By-law, shall be subject to the following regulations:

(a) Where the accessory building is attached to a main building, it shall be subject to, and shall conform to, all regulations of this By-law applicable to the main building.

(b) Detached accessory buildings shall not be located in any required yard, except a required rear yard or as provided for elsewhere herein.

(c) No detached accessory building shall be located closer than ten (10) feet to any main building.

(d) An accessory building shall not be located within a dedicated easement right-of-way.

(e) No accessory building shall be erected prior to erection of the main building except where it is necessary for the storage of the tools and materials for use during construction of the main building.

ONLY ONE MAIN BUILDING OR USE ON A SITE

10. There shall be only one main building and/or one main use on a site, except wherein otherwise stated or permitted by the Act.

MULTIPLE USES

11. Where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be satisfied. Where there is conflict such as in the case of site area and frontage, the higher or more stringent requirement shall prevail.

PUBLIC UTILITIES AND SERVICES

12. Nothing in this By-law shall be so interpreted as to interfere with the construction, maintenance and operation of any public utility, as defined by this By-law, or public service such as police and fire protection, provided that any building or structure erected in any zone complies with the yard and area requirements applicable to the zone.

TEMPORARY BUILDINGS AND USES

13. The provisions of this section shall apply to all zones as follows:

a) Temporary buildings, structures and uses which are incidental and necessary to construction in the same zone may be permitted on a temporary basis, subject to the issuance of a development permit, for the following purposes:

(i) For storage of construction materials and equipment incidental and necessary for construction;

(ii) For office space for contractor or developer; and

(iii) For temporary accomodation for a caretaker, watchman and other workers employed on the same construction site.

b) A development permit for a temporary building, structure or use shall be subject to such terms and conditions as required by Council or the Development Officer.

c) A development permit for a temporary building, structure or use shall be valid for a period of not more than six (6) months and may not be renewed for more than two (2) successive periods at the same location.

PUBLIC MONUMENTS AND STATUARY

14. Nothing in this By-law shall be so interpreted as to interfere with the maintenance or erection of monuments, statuary, and similar structures.

LAND UNSUITABLE FOR DEVELOPMENT

15. Notwithstanding the provisions contained in this By-law, Council may prohibit the development of land for a use permitted in this By-law if Council is of the opinion that the land is subject to erosion, flooding, or subsidence, or is low-lying, marshy or unstable, or otherwise unsuitable or hazardous for the proposed purpose by virtue of its soil, topography or unique conditions.

LAND SUBJECT TO FLOODING

16. (1) No permanent building or structure shall be located on land subject to flooding unless provided with adequate flood protection by raising the building site and access to the flood protection level.

(2) Council shall consult with the Provincial Water Resources Division regarding flood protection levels.

PART XI - REPEAL

All planning schemes in force and effect within the R.M. of Coldwell prior to the effective date of this By-law are hereby repealed.

PART XII - EFFECTIVE DATE

This By-law shall come into full force on, from, and after the date on which it received third reading by the Council.

DONE AND PASSED in Council duly assembled at the R.M. of Coldwell, Manitoba, this 24th day of April, A.D., 1985.

Marvin Desjarlais
Reeve

Minnie Johnson
Secretary-Treasurer

READ A FIRST TIME this 12th day of March A.D., 1985.

READ A SECOND TIME this 24th day of April A.D., 1985.

READ A THIRD TIME this 24th day of April A.D., 1985.

MAP 1

RGE. 7W. RGE. 6W. RGE. 5W. RGE. 4W. RGE. 3W.

R.M. of ERIKSDALE

R.M. of COLDWELL

LILY BAY

SR

Long Point

Lily Bay

SEE MAP No. THREE

TWP. 20

SR SR

A80

MINNEWAKAN

LUNDAR

SEE MAP No. TWO

A80

STONY HILL

EHEESME

LAKE MANITOBA

TWP. 19

NATIONAL CANADIAN

TWP. 18

A80 CLARKLEIGH

A80

R.M. of COLDWELL

I.G.D. of ARMSTRONG

LEGEND:

A80 RURAL AGRICULTURAL ZONE
SR SEASONAL RESORT ZONE
LIMITS OF ZONE
MUNICIPAL BOUNDARY

SR SR

MINNEWAKAN

LUNDAR

SEE MAP No. TWO

A80

STONY HILL

LAKE MANITOBA

TWP. 19

NATIONAL CANADIAN

A80 CLARKLEIGH

A80

TWP. 18

R.M. of COLDWELL

I.G.D. of ARMSTRONG

LEGEND:

A80 RURAL AGRICULTURAL ZONE
SR SEASONAL RESORT ZONE
LIMITS OF ZONE
MUNICIPAL BOUNDARY

Marsh Point

R.M. of COLDWELL
R.M. of ST LAURENT

APPENDIX "A"

ESTABLISHING ZONING MAP ONE
OF THE RURAL MUNICIPALITY OF
COLDWELL
ZONING BY-LAW No. 6/85

R.M. of COLDWELL

NORTH SCALE - 1:100,000

0 1 2 3 miles
0 1000 2000 3000 4000 5000 metres

Dwg. No. 405-198-58-110 A · Date: Dec., 1982
APR., 1985

prepared by the
WESTERN INTERLAKE PLANNING DISTRICT BOARD
assisted by the
DEPARTMENT OF MUNICIPAL AFFAIRS
PROVINCE OF MANITOBA

MAP 2

A80

PLAN No 746 PLP

GOVERNMENT ROAD ALLOWANCE

PLAN No 12307 PLAN No 12135 PLAN No 12718

PLAN No 13,618

PLAN No 10,876

HC

PLAN No 9444

PLAN No 13,441

PLAN No 13,972

PLAN No 13,875

PLAN No 16,362

PLAN No 13,595

PLAN No 12,378

R

PR

C

I

M

RMP

L.S. 7

THIRD STREET

A80

APPENDIX "A"

LUNDAR

R.M. of COLDWELL

ESTABLISHING ZONING MAP TWO OF THE RURAL MUNICIPALITY OF COLDWELL
ZONING BY-LAW No. 6/85

LEGEND:

A80	RURAL AGRICULTURAL ZONE	PR	PARKS AND RECREATION ZONE
R	RESIDENTIAL ZONE	I	INSTITUTIONAL ZONE
C	GENERAL COMMERCIAL ZONE	RMP	MOBILE HOME PARK ZONE
HC	HIGHWAY COMMERCIAL ZONE	— — —	LIMITS OF ZONE
M	INDUSTRIAL ZONE	——·——	UNINCORPORATED VILLAGE DISTRICT LIMITS

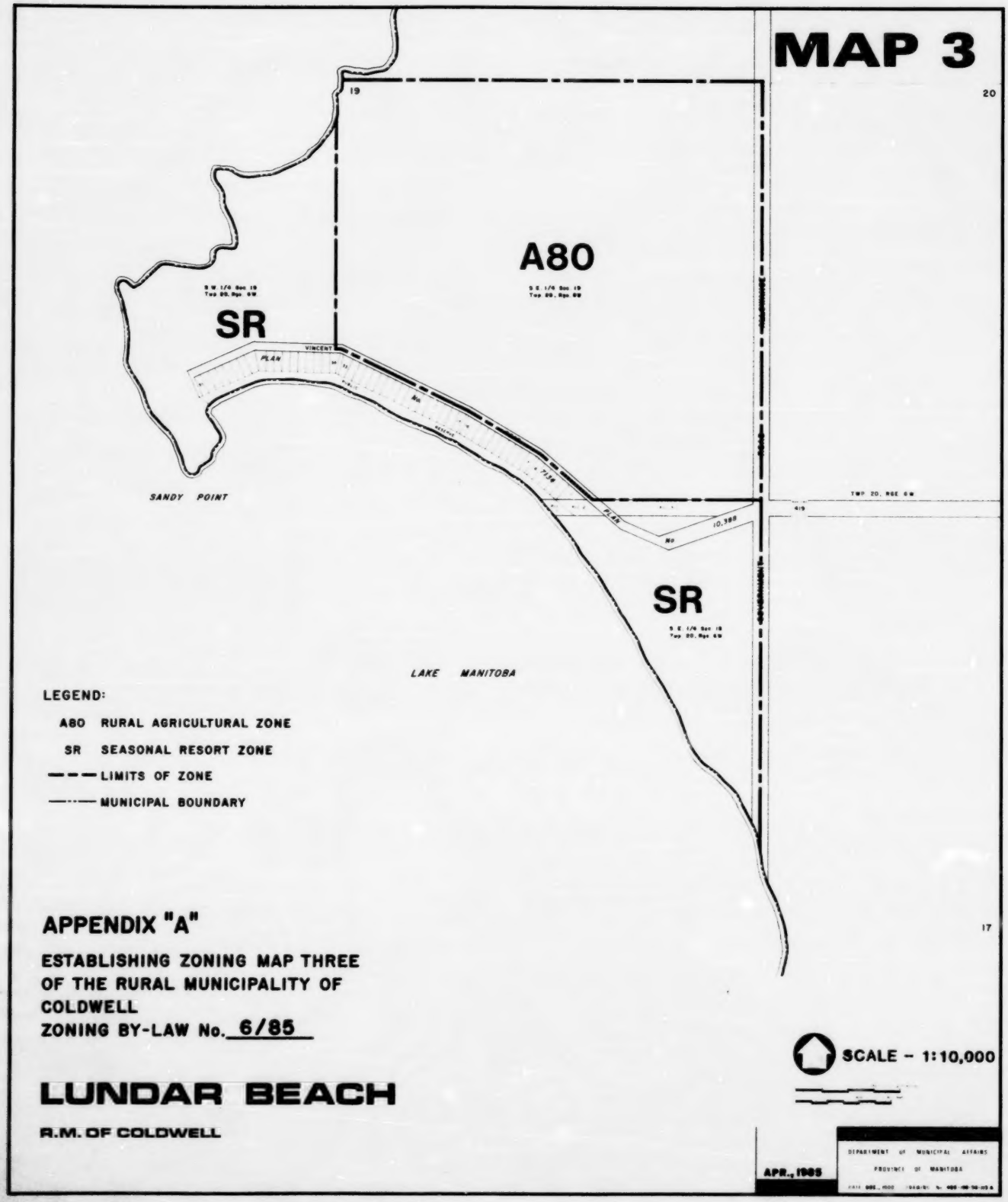
SCALE - 1:7,500

NORTH APR., 1988

prepared by the WESTERN INTERLAKE PLANNING DISTRICT BOARD

approved by the DEPARTMENT OF MUNICIPAL AFFAIRS PROVINCE OF MANITOBA

DWG No. 405-180-88-112 A
DATE - DEC., 1988


MAP 3
19
20
A80
S.W. 1/4 Sec. 19
Twp 20, Rge 6W
S.E. 1/4 Sec. 19
Twp 20, Rge 6W
SR
VINCENT
PLAN
SANDY POINT
TWP 20, RGE 6W
PLAN
No
10,388
SR
S.E. 1/4 Sec. 18
Twp 20, Rge 6W
LAKE MANITOBA
LEGEND:
A80 RURAL AGRICULTURAL ZONE
SR SEASONAL RESORT ZONE
LIMITS OF ZONE
MUNICIPAL BOUNDARY
APPENDIX "A"
ESTABLISHING ZONING MAP THREE
OF THE RURAL MUNICIPALITY OF
COLDWELL
ZONING BY-LAW No. 6/85
17
SCALE - 1:10,000
LUNDAR BEACH
R.M. OF COLDWELL
APR., 1985
DEPARTMENT OF MUNICIPAL AFFAIRS
PROVINCE OF MANITOBA